

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT L. WILLIAMS, J-58250,)	
)	
Plaintiff(s),)	No. C 10-1956 CRB (PR)
)	
vs.)	ORDER OF DISMISSAL WITH
)	LEAVE TO AMEND
CITY OF HAYWARD, et al.,)	
)	
Defendant(s).)	
_____)	

On May 6, 2010, while incarcerated at the Claremont Custody Center in Coalinga, California, plaintiff filed a pro se prisoner complaint for damages under 42 U.S.C. § 1983 alleging various instances of harassment/retaliation by City of Hayward police officers.

On September 7, 2010, the court noted that plaintiff had filed additional pleadings suggesting that he wished to allege additional claims and name additional defendants, and dismissed the complaint with leave to amend to incorporate all allegations and defendants into one complaint. The court explained that the amended complaint would supersede the original complaint and all other earlier pleadings; claims and defendants not included in the first amended complaint would not be considered by the court. Sept. 7, 2010 Order at 2 (citing King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987)).


1 On September 16, 2010, plaintiff filed a document titled First Amended
2 Complaint (FAC). But the document is simply a compilation of copies of
3 personnel complaints plaintiff has filed with the Hayward Police Department. It
4 will not do. At minimum, a complaint must contain a short and plain statement
5 of the grounds for the court's jurisdiction; a plain and short statement of the
6 claim(s) showing that plaintiff is entitled to relief; and a demand for the relief
7 sought. See Fed. R. Civ. P. 8(a).

8 Plaintiff will be afforded a final opportunity to file an amended complaint
9 incorporating all allegations and defendants into one complaint. The complaint
10 must contain the statements and demand noted above, and must include the
11 caption and civil case number used in this order and the words SECOND
12 AMENDED COMPLAINT on the first page. Failure to file a proper amended
13 complaint within the designated time will result in the dismissal of this action.

14 Plaintiff again is advised that the second amended complaint will
15 supersede the prior complaints and pleadings. Claims and defendants not
16 included in the second amended complaint will not be considered by the court.
17 See King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987).

18 SO ORDERED.

19 DATED: Nov. 19, 2010

20 
21 CHARLES R. BREYER
22 United States District Judge
23
24
25
26